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Monday, November 10, 2008

To: Devin J. Chwastyk, Esq.

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Pages: 3 , including cover page

From: Matthew B. Weisberg, Esq.

RE: Josia Kuenzi v. EuroSport Cycles, Inc., et al
No.: 08-3906

Comments:

Kindly find enclosed Plaintiff's Response to Defendant's, Capital One Auto Finance, Inc., Admissions in regards to the above captioned matter.

Thank you.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Josiah Kuenzi
369 Beech Street
Pottstown, PA 19464

Plaintiff

v.

EuroSport Cycles, Inc., et al
275 Lincoln Avenue
Middlesex, NJ 08846

Defendants

:
:
:
: CIVIL ACTION NO.:
: 2:08-cv-3906
:
:
:

: Jury of Twelve (12) Jurors Demanded

**PLAINTIFF'S RESPONSE TO DEFENDANT'S, CAPITAL ONE AUTO FINANCE, INC.,
ADMISSIONS**

1. Admitted.
2. Admitted.
3. Admitted as stated. Capital One financed the Agreement.
4. Admitted.
5. Denied. The averment is purely a conclusion of law to which no response is required.
6. Denied. The averment is purely a conclusion of law to which no response is required.
7. Admitted.
8. Denied. After reasonable investigation, Plaintiff is without knowledge or information sufficient to form a belief as to the truth of the averment and therefore, said averment is expressly denied and strict proof thereof is demanded at the time of trial.
9. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averment and therefore, said averment is expressly denied and strict proof thereof is demanded at the time of trial.
10. Denied. The averment is purely a conclusion of law to which no response is required.
11. Denied. The averment is purely a conclusion of law to which no response is required.
12. Denied. The averment is purely a conclusion of law to which no response is required.

13. Denied. The averment is purely a conclusion of law to which no response is required.
14. Denied. The averment is purely a conclusion of law to which no response is required.
15. Denied. The averment is purely a conclusion of law to which no response is required.
16. Admitted.
17. Admitted.
18. Admitted.
19. Denied. The averment is purely a conclusion of law to which no response is required. By way of further answer, "the letter" is ambiguous, not clearly defined, and not attached.
20. Denied. The averment is purely a conclusion of law to which no response is required. By way of further answer, "the letter" is ambiguous, not clearly defined, and not attached.
21. Denied. The averment is purely a conclusion of law to which no response is required.
22. Denied. The averment is purely a conclusion of law to which no response is required.
23. Denied. The averment is purely a conclusion of law to which no response is required.
24. Denied. The averment is purely a conclusion of law to which no response is required.